

EMAIL 08/06/2009

Vickie:

As we discussed during our phone call back on 7/24/09, Arsynco is required to submit an Engineering and Monitoring Plan to USEPA by 8/19/09, which is 30 days from the date that the TSCA approval became effective. Unfortunately, it has become clear that it will not be possible for Arsynco to comply with that timeframe, and we would like to request an extension until 9/30/09 for submittal of the required plan.

As a result of their recent agreement, Arsynco and BASF are currently in the process of developing and setting up the administrative system for handling the remediation process for the site as we move forward, including setting up and funding a trust account to pay for the remediation, selecting an independent trustee to administer the account, etc. In addition, we are also dealing with summer vacation schedules of the different individuals that are involved. Given the above, Arsynco will not have enough time to prepare an adequate Engineering and Monitoring Plan and conduct the required internal document reviews in time for submittal to USEPA by 8/19/09. An extension until 9/30/2009 will allow sufficient time to prepare an adequate plan for submittal to your office.

We appreciate USEPA's continued assistance in this matter, and we hope that you understand the time summer vacation schedule issues and other requirements that are necessary during this initial stage to get this project going.

Best regards,

Jim

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